

## TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

### MINUTE ORDER

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DALLAS & FORT WORTH Districts

Transportation Code, §228.012 requires the Texas Department of Transportation (department) to create a separate account in the state highway fund to hold payments received by the department under a comprehensive development agreement (CDA) and the surplus revenue of a toll project or system.

The department is required to create subaccounts in the account for each project, system, or region, and to hold money in a subaccount in trust for the benefit of the region in which the project or system is located. Interest earned on money in a subaccount shall be deposited to the credit of that subaccount. The department may assign the responsibility for allocating money in a subaccount to the metropolitan planning organization (MPO) in which the region is located.

The department has created subaccounts in the state highway fund to hold the payments received from the North Texas Tollway Authority (NTTA) for the right to develop, finance, design, construct, operate, and maintain the SH 161 toll project from I-20 to SH 183 in Dallas County (SH 161 payments).

Pursuant to Transportation Code, §228.012, the SH 161 payments may be used to pay the costs of a transportation project, highway project, or air-quality project within a region in which any part of the SH 161 toll project is located. Money must be allocated to projects authorized by Transportation Code, §228.0055 or §228.006, as applicable. An air-quality project is a project or program of the department or another governmental entity that the Texas Transportation Commission (commission) determines will mitigate or prevent air pollution caused by the construction, maintenance, or use of public roads.

In Minute Order 110727, dated October 26, 2006, the commission approved, and authorized the department's executive director to enter into, a memorandum of understanding (MOU) with the Regional Transportation Council (RTC), the transportation policy council of the North Central Texas Council of Governments (NCTCOG), a federally designated MPO, concerning the administration, sharing, and use of surplus toll revenue and CDA concession payments in the region served by the NCTCOG. The SH 161 toll project is located in the region served by the NCTCOG.

Responsibility for allocating the SH 161 payments has been assigned to the RTC under the MOU. The MOU provides that the selection of projects to be financed using those funds shall be made by the RTC, subject to commission concurrence. The projects are to be selected through a process which considers the desires of the cities and counties in which the project is located. The RTC has developed a plan for regional sharing of surplus toll revenue and CDA concession payments, based on the location of the toll project from which these revenues are derived and the residential location of toll users in the region served by the NCTCOG.

In Minute Order 112015, dated October 29, 2009, the commission clarified that commission concurrence in projects selected by the RTC to be financed with surplus toll revenue and CDA concession payments is limited to ensuring the funds are allocated to projects authorized by Transportation Code, §228.0055 or §228.006. The minute order requires the department to disburse such funds in accordance with directions from the RTC to pay the costs of qualified projects.

# TEXAS TRANSPORTATION COMMISSION

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DALLAS & FORT WORTH Districts

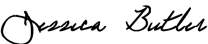
The department has established a work program to account for and track projects and project costs in the NCTCOG Metropolitan Planning Area (MPA) boundary funded with the SH 161 payments. In previous minute orders, the commission concurred with certain projects identified by the RTC to be funded with those payments, and approved the placement of those projects in the work program. The RTC has identified changes to the list of previously-approved projects, which are shown in Exhibit A. A summary of funds associated with the SH 161 work program is set forth in Exhibit B, which is included for informational purposes only.

IT IS THEREFORE ORDERED by the commission that, pursuant to the MOU and Minute Order 112015, it concurs with the changes to the list of previously-approved projects shown in Exhibit A.

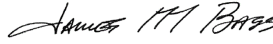
IT IS FURTHER ORDERED that, unless otherwise approved by the commission, all direct costs associated with the project for which federal and state funds have not been allocated shall be charged to this work program, including the costs of right-of-way acquisition, preliminary engineering, and construction engineering. The costs of department staff incurred in the development, procurement, and construction of on-system projects to be funded from the SH 161 payments subaccounts will not themselves be funded from the SH 161 payments subaccounts. Funds from the SH 161 payments subaccounts that were used to reimburse the costs of department staff will be returned to the subaccounts without interest at least quarterly.

Submitted and reviewed by:

Recommended by:

DocuSigned by:  
  
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Director, Transportation Planning  
and Programming Division

DocuSigned by:  
  
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Executive Director

116014 April 29, 2021

Minute	Date
Number	Passed

**Exhibit A****SH 161 RTC Work Program of Previously Approved Projects****Collin County**

<b>CSJ</b>	<b>ROW CSJ</b>	<b>PROJECT LOCATION</b>	<b>PROJECT DESCRIPTION</b>	<b>SH 161 RTR ACCOUNT 1, NEAR NEIGHBOR, NEAR TIMEFRAME FUNDS</b>	<b>SH 161 RTR ACCOUNT 2 EXCESS REVENUE</b>	<b>TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM</b>
0918-24-197	N/A	On Exchange Parkway from Alma to US 75 and from Greenville to Allen Heights	Construct New Roadway Lanes	\$0	\$3,600,000	\$3,600,000
0918-24-198	N/A	On Country Club Rd From FM 2514 (Parker Rd) South to FM 2514 (Parker Rd) North in Wylie	Construct New Roadway Lanes	\$0	\$3,632,000	\$3,632,000
0918-24-199	N/A	Stacy Rd from Ridge Rd to SH 121 in McKinney	Construct New Roadway Lanes	\$0	\$959,464	\$959,464
0918-24-205	N/A	Coordination of Passenger Rail and Roadway Planning on Northeast Texas Rural Rail Transportation District (NETEX) Corridor between Dallas County and Greenville	Phase 2 - Corridor Feasibility and Preliminary Engineering Study	\$0	\$136,323	\$136,323
0918-24-207	N/A	Dallas Parkway from Lebanon Road to Eldorado Parkway	Construct New Roadway Lanes	\$0	\$786,400	\$786,400
0918-24-218	N/A	At 12th Street Station on Cotton Belt Railway	Cotton Belt ROW Purchase for 12th Street Station	\$0	\$916,000	\$916,000
2679-03-010	N/A	FM 2514 from FM 1378 to East of Lavon Parkway	Construct New Roadway Lanes	\$0	\$5,000,000	\$5,000,000
<b>Collin County Total SH 161 RTC Work Program of Previously Approved</b>				<b>\$0</b>	<b>\$15,030,187</b>	<b>\$15,030,187</b>

*Italicized, bold and underlined text indicate changes from previous versions*

April 1, 2021

**Exhibit A**

**SH 161 RTC Work Program of Previously Approved Projects**

**Dallas County**

<b>CSJ</b>	<b>ROW CSJ</b>	<b>PROJECT LOCATION</b>	<b>PROJECT DESCRIPTION</b>	<b>SH 161 ACCOUNT 1, NEAR NEIGHBOR NEAR TIMEFRAME FUNDS</b>	<b>SH 161 ACCOUNT 2 EXCESS REVENUE</b>	<b>TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM</b>
0196-03-138	0196-03-248	IH 35E from IH 635 to PGBT	Construct New Roadway Lanes	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>
0196-03-180	0196-03-247	IH 35E from Sandy Lake Rd/Whitlock Ln to PGBT (SH 190)	Construct Overpass	\$4,500,000	\$7,668,716	\$12,168,716
0581-02-121	N/A	LP 12 at SH 114 freeway - Phase 1 (for contractor incentives)	Construct Interchange and Widen Roadway	\$10,000,000	\$0	\$10,000,000
0918-00-191	N/A	DART HOV Operations	DART - HOV Operations outside DART service area	\$2,660,000	\$3,000,000	\$5,660,000
0918-00-193	N/A	Sustainability for Transit	Transit Operations Regional Coordination	\$0	\$1,448,000	\$1,448,000
0918-00-197	N/A	MPO Planning Support and Assistance Project	Provide Planning Support and Technical Assistance, including Environmental Review, for Transportation Projects in the Region	\$320,001	\$319,999	\$640,000
0918-00-234	N/A	Various Locations at Diamond Intersections	Regional Wrong Way Driving Program; Pilot Study & Implementation to Prevent Wrong Way Driving Occurrences in Regional Corridors	\$1,180,000	\$0	\$1,180,000
0918-00-246	N/A	TxDOT Management System Operations Program	Signage and Striping and Shoulder Utilization During Peak Periods	\$276,000	\$0	\$276,000
0918-45-887	N/A	Dallas CBD Streetcar Circulator Expansion from Bus lane reconstruction Elm & Commerce (Houston to Central Expressway) to Streetcar Phase 1B (Main/Elm & Commerce Loop)	Construct Rail Facilities	\$0	\$5,800,000	\$5,800,000

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**SH 161 RTC Work Program of Previously Approved Projects**

**Dallas County**

<b>CSJ</b>	<b>ROW CSJ</b>	<b>PROJECT LOCATION</b>	<b>PROJECT DESCRIPTION</b>	<b>SH 161 ACCOUNT 1, NEAR NEIGHBOR NEAR TIMEFRAME FUNDS</b>	<b>SH 161 ACCOUNT 2 EXCESS REVENUE</b>	<b>TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM</b>
0918-47-005	N/A	Pleasant Valley Road from Richfield Drive & Creek Meadow Lane to Miles Lane	Construct New Roadway Lanes and Bridge	\$17,936,754	\$0	\$17,936,754
0918-47-006	N/A	On Camp Wisdom Road from Carrier Parkway to FM 1382	Construct New Roadway Lanes	\$10,447,939	\$0	\$10,447,939
0918-47-053	N/A	McKinney Avenue Trolley Extension on Woodall Rogers Service Rd to St Paul St. and Federal St.	Extension of Trolley Line – Phase 3 Complete Downtown Loop	\$0	\$5,000,000	\$5,000,000
0918-47-055	N/A	Kessler Theater Pedestrian Amenities in City of Dallas	Construct Landscape and Pedestrian Improvements	\$179,200	\$0	\$179,200
0918-47-056	N/A	Central Trail Along Arapaho from DART LRT Station Platform to Buckingham Rd	Construct Bicycle/Pedestrian Path Improvements and Intersection Improvements	\$600,000	\$0	\$600,000
0918-47-065	N/A	Dallas County Sherriff FY 2012 Highway Traffic/Management Operations Program	Highway Traffic/Management Operations Program	\$2,500,000	\$0	\$2,500,000
0918-47-081	N/A	Central Trail Restland from Buckingham Rd to Forest Lane Station	Construct Bicycle/Pedestrian Path	225,000	\$0	\$225,000
0918-47-082	N/A	West Spring Valley Road from Weatherred Drive to Coit Road	Construct Intersection Improvements and Bicycle/Pedestrian Improvements	\$4,231,919	\$0	\$4,231,919
0918-47-087	N/A	Dallas CBD Streetcar Circulator from Oak Cliff to Downtown Dallas	Construct Streetcar Extension North	\$0	\$0	\$0
0918-47-117	N/A	Dallas County Emissions Enforcement Program	Dallas County Emissions Enforcement Program	\$1,195,526	\$0	\$1,195,526
0918-47-168	N/A	On Riverfront Blvd from Cadiz Street to Union Pacific Railroad	Reconstruct Existing Roadway Lanes and Bicycle and Pedestrian Improvements	\$5,000,000	\$0	\$5,000,000

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**Exhibit A**

**SH 161 RTC Work Program of Previously Approved Projects**

**Dallas County**

<b>CSJ</b>	<b>ROW CSJ</b>	<b>PROJECT LOCATION</b>	<b>PROJECT DESCRIPTION</b>	<b>SH 161 ACCOUNT 1, NEAR NEIGHBOR NEAR TIMEFRAME FUNDS</b>	<b>SH 161 ACCOUNT 2 EXCESS REVENUE</b>	<b>TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM</b>
0918-47-245	N/A	Citywide	Develop a Strategic Mobility Plan for the City of Dallas	\$1,000,000	\$0	\$1,000,000
0918-47-269	N/A	On SH 356/Irving Blvd from O'Connor to Strickland Plaza	Construct Bicycle and Pedestrian Improvements	\$12,000,000	\$0	\$12,000,000
1068-04-147	N/A	IH 30 from Tarrant County Line to Sylvan Ave.	Construct HOV/Managed Lanes and Wishbone Ramps	\$24,840,893	\$0	\$24,840,893
1068-04-153	1068-04-155	IH 30 from 0.5 miles West of Westmoreland Rd to East of Westmoreland Rd	Construct EB Frontage Roads – Phase 1	\$3,500,000	\$0	\$3,500,000
1068-04-154	1068-04-164	IH 30 from Cockrell Hill Rd to Westmoreland Rd	Construct WB Frontage Roads	\$8,300,000	\$0	\$8,300,000
1068-04-156	1068-04-163	IH 30 from Cockrell Hill Rd to Westmoreland Rd	Construct Frontage Roads – Phase 2	\$6,600,000	\$0	\$6,600,000
2964-01-022	N/A	SH 161 from South of Conflans Rd to North of SH 114	Construct New Roadway Lanes	\$1,000,000	\$0	\$1,000,000
2964-01-040	N/A	SH 161 from at Union Pacific Railroad (UP RR) and to Jefferson and Main Streets in Grand Prairie	Construct Frontage Roads and Overpass	\$9,600,000	\$2,400,000	\$12,000,000
<b>Dallas County Total SH 161 RTC Work Program of Previously Approved Projects</b>				<b>\$128,093,232</b>	<b>\$25,636,715</b>	<b>\$153,729,947</b>

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Exhibit A

SH 161 RTC Work Program of Previously Approved Projects

Denton County

CSJ	ROW CSJ	PROJECT LOCATION	PROJECT DESCRIPTION	SH 161 ACCOUNT 1, NEAR NEIGHBOR NEAR TIMEFRAME FUNDS	SH 161 ACCOUNT 2 EXCESS REVENUE	TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM
0081-03-048	N/A	US 377 from Henrietta Creek Rd to SH 114 (Section 5)	Construct New Roadway Lanes	\$0	\$0	\$0
0195-03-050	0195-03-072	IH 35E from US 77 S of Denton to IH 35W	Construct New Roadway Lanes	\$6,305,926	\$0	\$6,305,926
0195-03-071	N/A	IH 35 from IH 35W to US 380	Construct New Roadway Lanes	\$0	\$0	\$0
0196-02-073	N/A	IH 35E from South of Garden Ridge Blvd to North End of Lake Lewisville Bridge	Construct New Roadway Lanes	\$0	\$0	\$0
0353-02-053	N/A	BU 114K at UP Railroad Underpass in Roanoke (DOT NO. 795 342V)	Construct Underpass	\$0	\$0	\$0
0918-46-317	N/A	On US 377 at UPRR Crossing and Canyon Falls	Railroad Crossing Improvements	\$0	\$400,000	\$400,000
<b>Denton County Total SH 161 RTC Work Program of Previously Approved Projects</b>				<b>\$6,305,926</b>	<b>\$400,000</b>	<b>\$6,705,926</b>

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Exhibit A

SH 161 RTC Work Program of Previously Approved Projects

Rockwall County

CSJ	ROW CSJ	PROJECT LOCATION	PROJECT DESCRIPTION	SH 161 ACCOUNT 1, NEAR NEIGHBOR NEAR TIMEFRAME FUNDS	SH 161 ACCOUNT 2 EXCESS REVENUE	TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM
0009-12-074	N/A	IH 30 Interchange at Erby Campbell Blvd	Construct Interchange	\$0	\$639,342	\$639,342
Rockwall County Total SH 161 RTC Work Program of Previously Approved Projects				\$0	\$639,342	\$639,342



**Exhibit A**

**SH 161 RTC Work Program of Previously Approved Projects**

**Tarrant County**

<b>CSJ</b>	<b>ROW CSJ</b>	<b>PROJECT LOCATION</b>	<b>PROJECT DESCRIPTION</b>	<b>SH 161 RTR ACCOUNT 1, NEAR NEIGHBOR, NEAR TIMEFRAME FUNDS</b>	<b>SH 161 RTR ACCOUNT 2 EXCESS REVENUE</b>	<b>TOTAL SH 161 RTR AUTHORIZED TO THE WORK PROGRAM</b>
0172-01-052	N/A	On BUS 287P (Kennedale Parkway) from IH 20 to Village Creek in Kennedale	Construct Bicycle/Pedestrian Path Improvements	<b><u>\$186,273</u></b>	\$0	<b><u>\$186,273</u></b>
0172-02-072	N/A	On BUS 287P (Kennedale Parkway) from Village Creek to Eden Road in Kennedale	Construct Bicycle/Pedestrian Path Improvements	<b><u>\$550,013</u></b>	\$0	<b><u>\$550,013</u></b>
0902-00-138	N/A	TxDOT Management System Operations Program	Wrong Way Driving Technology and Shoulder Utilization During Peak Periods	\$0	\$820,000	\$820,000
0902-48-845	N/A	On East Rosedale Street from IH 35W to US 287	Construct Bicycle/Pedestrian Path Improvements	\$2,556,759	\$0	\$2,556,759
0902-48-847	N/A	On Riverside Bridge at Fossil Creek from Stone Creek to Redwood Creek	Construct Bridge	\$2,877,180	\$0	\$2,877,180
0902-48-861	N/A	On Backage Road from Anderson Lane to US 377	Construct New Roadway Lanes	\$14,121,691	\$0	\$14,121,691
0902-48-864	N/A	Snider Street Extension Project from Main Street/Smithfield Rd to Davis Blvd/Northeast Parkway	Construct Bicycle/Pedestrian Path Improvements and Intersection Improvements	\$0	\$0	\$0
0902-48-865	N/A	Pleasant Run Pathway Connection	Construct Bicycle/Pedestrian Path Improvements	\$174,800	\$0	\$174,800
0902-48-866	N/A	Cheeksparger at Jackson Road in Colleyville	Construct New Roadway Lanes	\$349,320	\$0	\$349,320
0902-90-116	N/A	On Trinity Blvd from West of American Boulevard to SH 360	Construct Intersection Improvements	\$1,170,491	\$0	\$1,170,491
<b>Tarrant County Total SH 161 RTC Work Program of Previously Approved Projects</b>				<b>\$21,986,527</b>	<b>\$820,000</b>	<b>\$22,806,527</b>

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Exhibit A

SH 161 RTC Work Program of Previously Approved Projects

Summary of Funds by County

	SH 161 ACCOUNT 1, NEAR NEIGHBOR, NEAR TIMEFRAME FUNDS	SH 161 ACCOUNT 2 EXCESS REVENUE
Collin County	\$0	\$15,030,187
Dallas County	\$128,093,232	\$25,636,715
Denton County	\$6,305,926	\$400,000
Ellis County	\$0	\$0
Kaufman County	\$0	\$0
Rockwall County	\$0	\$639,342
Tarrant County	\$21,986,527	\$820,000
<b><i>Total Approved</i></b>	<b><i>\$156,385,685</i></b>	<b><i>\$42,526,244</i></b>
<b>Grand Total Previously Approved Projects</b>	<b>\$198,911,929</b>	

**Exhibit B**

**SH 161 RTC Work Program Summary of Funds**

	SH 161 Account 1, Near Neighbor, Near Timeframe Projects	SH 161 Account 2 Excess Revenue Projects
Initial Deposits (Less Transfers to SH 121 Account)	\$150,221,700	\$50,073,900
Interest Deposited as of February 28, 2021	\$5,043,623	\$1,655,885
Project Repayments Local project reimbursements	\$46,520	\$0
Reimbursement of TxDOT In House Costs	\$3,990,230	\$265,971
Total Deposits	\$211,297,829	
New Projects		
Collin County	\$0	\$0
Dallas County	\$0	\$0
Denton County	\$0	\$0
Ellis County	\$0	\$0
Kaufman County	\$0	\$0
Rockwall County	\$0	\$0
Tarrant County	\$0	\$0
Total New Projects	\$0	\$0
Previously Approved Projects		
Collin County	\$0	\$15,030,187
Dallas County	\$128,093,232	\$25,636,715
Denton County	\$6,305,926	\$400,000
Ellis County	\$0	\$0
Kaufman County	\$0	\$0
Rockwall County	\$0	\$639,342
Tarrant County	\$21,986,527	\$820,000
Total Previously Approved Projects	\$156,385,685	\$42,526,244
Grand Total SH 161 RTC projects	\$198,911,929	
Balance of SH 161 RTC Work Program (total deposits less projects)	\$12,385,900	